

Remarks

This Amendment is in response to the Office Action dated **April 24, 2008**. Claims 1-26 and 58 are pending in this application. The Office Action rejected claims 1-8, 14 and 17-20 under 35 USC § 102 over Fulton (US 6074374); rejected claims 9-13 and 15 under 35 USC § 103 over Fulton in view of Follmer (US 5728065); rejected claims 16 and 58 under 35 USC § 103 over Fulton in view of Follmer and Chee (US 5906606); rejected claims 21-24 under 35 USC § 103 over Fulton in view of Imran (US 5766203); and rejected claims 25 and 26 under 35 USC § 103 over Fulton in view of Hamilton (US 6514228).

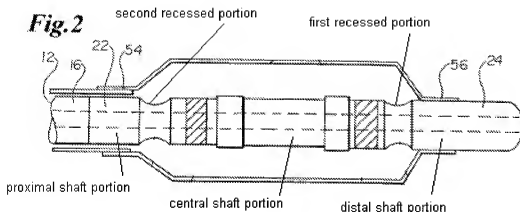
By this Amendment, claims 1, 7, 11, 14, 16, 25 and 26 are amended and claims 59 and 60 are added. Applicants reserve the right to prosecute any cancelled subject matter in a subsequent patent application claiming priority to the immediate application. Support for the amendments can be found at least in Figure 2 and the specification at page 3, lines 22-24. Reconsideration in view of the above amendments and the following remarks is requested.

Claim Rejections (Independent Claim 1)

The Office Action rejected claims 1-8, 14 and 17-20 under 35 USC § 102 over Fulton. The Office Action also rejected, under 35 USC § 103, claims 9-13 and 15 over Fulton in view of Follmer; claims 21-24 over Fulton in view of Imran; and claims 25 and 26 over Fulton in view of Hamilton.

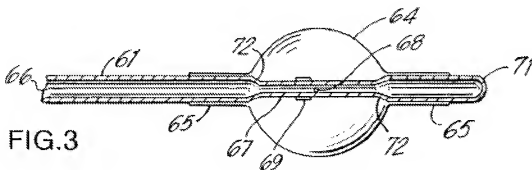
Claim 1 has been amended and recites a catheter tip having “a proximal shaft portion, a central shaft portion and a distal shaft portion,” and “a first recessed portion located between the distal shaft portion and the central shaft portion and a second recessed portion located between the central shaft portion and the proximal shaft portion.” A cross-sectional area of the central shaft portion must be “defined by a single layer of catheter tip material.” The cross-sectional area of the central shaft portion must be “substantially equal to a cross-sectional area of the proximal shaft portion and substantially equal to a cross-sectional area of the distal shaft portion.”

Applicants have provided an edited version of Figure 2 below, marked to show limitations from amended claim 1.



Claim 1 further recites “a first recessed portion located between the distal shaft portion and the central shaft portion and a second recessed portion located between the central shaft portion and the proximal shaft portion,” and further requires that a cross-sectional area of each recessed portion be less than the cross-sectional area of the central shaft portion.

Fulton teaches a catheter having a reduced diameter shaft segment 67 located beneath the balloon. See e.g. Figure 3, provided below, and column 5, lines 19-23.



The Office Action characterizes Fulton as teaching “first and second recessed regions (the regions to either side of radiopaque marker 69).” See Office Action at page 2.

Fulton does not disclose or suggest a catheter tip having “a proximal shaft portion, a central shaft portion and a distal shaft portion” that meets the cross-sectional area limitations of claim 1. For example, the cross-sectional area of a “central shaft portion defined by a single layer of catheter tip material” in the Fulton catheter is not “substantially equal to a cross-sectional area of the proximal shaft portion,” as required by claim 1. Fulton further does not disclose or suggest first and second recessed portions located on opposite sides of a central shaft portion, as required by claim 1. Therefore, Applicants assert that Fulton does not disclose or suggest each limitation

of claim 1, and claim 1 is patentable over Fulton under 35 USC § 102. Claims 2-8, 14 and 17-20 depend from claim 1 and are patentable over Fulton for at least the reasons discussed with respect to claim 1. Accordingly, Applicants request withdrawal of the rejections under 35 USC § 102 over Fulton.

With respect to the rejections under 35 USC § 103, the amendment to claim 1 is believed to render the rejections moot. Applicants request withdrawal of the rejections under 35 USC § 103 over Fulton in view of Follmer; Fulton in view of Imran; and Fulton in view of Hamilton.

Claim Rejections (Independent Claim 16)

The Office Action rejected claims 16 and 58 under 35 USC § 103 over Fulton in view of Follmer and Chee.

Claim 16 has been amended and requires “entrained stiffening fibers selected from a group consisting of polypropylene fibers and polyolefin fibers.”

Claim 16 previously recited “carbon fibers,” and the rejection discussed carbon fibers in Chee; however, the rejection does not discuss polypropylene fibers or polyolefin fibers or allege a teaching of polypropylene fibers or polyolefin fibers in the applied references. Thus, the rejection does not cite prior art that discloses or suggests each limitation of claim 16, and claim 16 is patentable over the applied references under 35 USC § 103. Claim 58 depends from claim 16 and is patentable for at least the reasons discussed with respect to claim 16. Applicants request withdrawal of the rejection of claims 16 and 58.

Title

In the Amendment filed April 4, 2007, Applicants requested that the Examiner verify that the title of this application is correct – “Catheter Tip.” The publication, US 2005/0171591, includes a typographical error – “Catherter Tip.”

Applicants are unable to find a response to the request in any subsequent Office Action. Applicants request that if next Office Action presents substantive rejections, the Examiner comment on the current spelling of the title.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-26 and 58-60 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

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